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5  
6 Counsel for Defendant  
JOSE RUIZ

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 11-00899-DLJ  
12 )  
Plaintiff, )  
13 ) **STIPULATION TO CONTINUE**  
vs. ) **SENTENCING HEARING; []**  
14 ) **ORDER**  
JOSE RUIZ, )  
15 )  
Defendant. )  
16 \_\_\_\_\_)

17 Plaintiff United States of America, by and through Special Assistant United States  
18 Attorney Meredith Edwards, and Defendant JOSE RUIZ ("Mr. Ruiz"), by and through his  
19 attorney of record, Assistant Federal Public Defender Robert Carlin, hereby stipulate that the  
20 sentencing hearing in this case should be continued from April 11, 2013, to May 16, 2013, at  
21 9:00 a.m.

22 1. On December 7, 2011, Mr. Ruiz was charged in a single count indictment with a  
23 violation of 8 U.S.C. § 1326 (a) and (b).

24 2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the  
25 offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty  
26 before this Honorable Court. The sentencing hearing was scheduled for April 11, 2013.

3. Counsel for Mr. Ruiz has missed a great deal of time from work during the last three or more weeks, due to the sickness of a child that culminated in a hospital admission. As a result, Counsel has not been able to prepare and file a sentencing position paper on Mr. Ruiz' behalf.

4. Additionally, the case was only recently reassigned to Special Assistant United States Attorney Meredith Edwards, following the departure from the United States Attorney's Office of previous government counsel, and she needs adequate time to familiarize herself with the case and to prepare for sentencing.

5. Accordingly, the parties respectfully request that the sentencing hearing be continued from April 11, 2013, to May 16, 2013, at 9:00 a.m.

IT IS SO STIPULATED.

Respectfully submitted,

STEVEN G. KALAR  
Federal Public Defender

Dated: April 5, 2013

/S/ \_\_\_\_\_  
**ROBERT M. CARLIN**  
 Assistant Federal Public Defender

UNITED STATES ATTORNEY

Dated: April 5, 2013

/S/ \_\_\_\_\_  
MEREDITH EDWARDS  
Special Assistant United States Attorney

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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR 11-00899-DLJ
	)	
12 Plaintiff,	)	<b>[] ORDER ON</b>
	)	<b>STIPULATION TO CONTINUE</b>
13 vs.	)	<b>SENTENCING HEARING</b>
	)	
14 JOSE RUIZ	)	
	)	
15 Defendant.	)	

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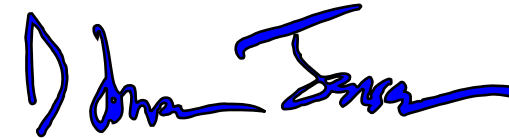
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2 Attorney Meredith Edwards, following the departure from the United States Attorney's Office of  
3 previous government counsel, and she needs adequate time to familiarize herself with the case  
4 and to prepare for sentencing.

5           5. For the above stated reasons, the sentencing hearing shall be continued to May 16,  
6 2013, at 9:00 a.m.

7           IT IS SO ORDERED.

8  
9 Dated: 1 FEB



HON. D. LOWELL JENSEN  
United States District Judge